

AMENDED IN ASSEMBLY MARCH 28, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 671

Introduced by Assembly Member Corbett
(Principal coauthor: Assembly Member Ridley-Thomas)

February 19, 2003

An act to amend Section ~~7582.24~~ 7587.1 of the Business and Professions Code, relating to private security services.

LEGISLATIVE COUNSEL'S DIGEST

AB 671, as amended, Corbett. Licensing.

Existing law, the Private Security Services Act, establishes the Bureau of Security and Investigative Services within the Department of Consumer Affairs that is responsible for the licensing, registration, and regulation of private security officers. Existing law authorizes the Director of the Department of Consumer Affairs, ~~after a hearing~~, to deny, *suspend, or revoke* a *private patrol operator* license ~~to an applicant~~ based on specified criteria.

This bill would additionally authorize the director to deny, *suspend, or revoke* a license ~~to an applicant~~ if the ~~applicant had~~ *licensee has* been convicted ~~of violating~~ *of any offense or has been determined to have violated* any law by an appropriate court or administrative entity that the director believes demonstrates an inability *of the licensee to perform his or her job or a lack of integrity protect consumers*.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

~~SECTION 1. Section 7582.24 of the Business and Professions~~

SECTION 1. Section 7587.1 of the Business and Professions Code is amended to read:

7587.1. Notwithstanding Section 477, a firearm qualification card and a baton permit shall be considered a license subject to the terms of this section.

Notwithstanding the assessment or payment of fines for any violations of this chapter, the director may deny, suspend, or revoke a license issued under this chapter if he or she determines that the licensee or his or her manager, if an individual, or if the licensee is a person other than an individual, that any of its officers, directors, partners, or its manager, has:

(a) Made any false statement or given any false information in connection with an application for a license or a renewal or reinstatement of a license.

(b) Violated any provisions of this chapter.

(c) Violated any rule of the director adopted pursuant to the authority contained in this chapter.

(d) Committed any act or crime constituting grounds for denial of licensure under Section 480, including illegally using, carrying, or possessing a deadly weapon.

(e) Impersonated, or permitted or aided and abetted an employee to impersonate a law enforcement officer or employee of the United States of America, or of any state or political subdivision thereof.

(f) Committed or permitted any employee to commit any act, while the license was expired which would be cause for the suspension or revocation of a license, or grounds for the denial of an application for a license.

(g) Willfully failed or refused to render to a client services or a report as agreed between the parties and for which compensation has been paid or tendered in accordance with the agreement of the parties.

(h) Committed assault, battery, or kidnapping, or used force or violence on any person, without proper justification.

(i) Knowingly violated, or advised, encouraged, or assisted the violation of any court order or injunction in the course of business as a licensee.

1 (j) Acted as a runner or capper for any attorney.

2 (k) Been convicted of a violation of Section 148 of the Penal
3 Code.

4 (l) Committed any act which is a ground for denial of an
5 application for a license under this chapter.

6 (m) Committed any act prohibited by Chapter 1.5
7 (commencing with Section 630) of Title 15 of Part 1 of the Penal
8 Code.

9 (n) Purchased, possessed, or transported any tear gas weapon
10 except as authorized by law. A violation of this subdivision may
11 be punished by the suspension of a license for a period to be
12 determined by the director.

13 (o) Been convicted of a violation of Section 95.3 of the Penal
14 Code.

15 (p) *Been convicted of any other offense, or violated any other*
16 *state, local, or federal law, including, but not limited to, laws*
17 *regarding health and safety, labor and employment, or wage and*
18 *hours, as determined by a court of competent jurisdiction or an*
19 *administrative proceeding, that, in the opinion of the director,*
20 *indicates that the licensee is unable to effectively protect*
21 *consumers according to the requirements of this chapter.*

22 ~~Code is amended to read:~~

23 ~~7582.24. After a hearing the director may deny a license~~
24 ~~unless the applicant makes a showing satisfactory to the director~~
25 ~~that the applicant, if an individual, has not, or if the applicant is a~~
26 ~~person other than an individual, that its manager and each of its~~
27 ~~officers have not:~~

28 ~~(a) Committed any act, which, if committed by a licensee,~~
29 ~~would be a ground for the suspension or revocation of a license~~
30 ~~under this chapter.~~

31 ~~(b) Committed any act constituting dishonesty or fraud.~~

32 ~~(c) Committed any act or crime constituting grounds for denial~~
33 ~~of licensure under Section 480, including illegally using, carrying,~~
34 ~~or possessing a deadly weapon.~~

35 ~~(d) Been refused a license under this chapter or had a license~~
36 ~~revoked.~~

37 ~~(e) Been an officer, partner, or manager of any person who has~~
38 ~~been refused a license under this chapter or whose license has been~~
39 ~~revoked.~~

1 ~~(f) While unlicensed committed, or aided and abetted the~~
2 ~~commission of, any act for which a license is required by this~~
3 ~~chapter.~~

4 ~~(g) Knowingly made any false statement in his or her~~
5 ~~application.~~

6 ~~(h) (1) Been convicted of any other offense, or violated any~~
7 ~~other state, local, or federal law, including, but not limited to, laws~~
8 ~~regarding health and safety, labor and employment, or wage and~~
9 ~~hours, as determined by a court of competent jurisdiction or an~~
10 ~~administrative proceeding, that, in the opinion of the director,~~
11 ~~indicates that the applicant is unable to perform his or her job~~
12 ~~responsibly or that reflects a lack of integrity.~~

13 ~~(2) Licensees shall notify the director within 30 calendar days~~
14 ~~after receiving notification that a government agency has initiated~~
15 ~~an investigation that may result in a finding that the licensee is not~~
16 ~~in compliance with this subdivision. Initiation of an investigation~~
17 ~~shall not, by itself, be a basis for a denial of a license. Licensees~~
18 ~~shall notify the director within 30 calendar days of all findings by~~
19 ~~a government agency or court of competent jurisdiction with~~
20 ~~respect to each investigation subject to this subdivision.~~